

Serial No.: 10/600,100
Filed: June 20, 2003

REMARKS

Claims 26 - 31 as currently amended, and new claims 37 and 38 are pending in the application. Claims 1-25, and 32-36 have been cancelled as being directed towards a non-elected invention. These claims have been cancelled without prejudice to their prosecution in continuing applications.

Support for new claims 37 and 38 can be found in Example 2, page 33-34; and Example 3, page 34-35.

Claim 26 has been amended by deleting from the definition of R_1 , the superfluous "is" as well as "imidazolyl" and the isophthalate structure. Further, " C_1-C_4 alkoxy" has been added to the definition of R_1 . Support for the addition of " C_1-C_4 alkoxy" to claim 26 can be found in the specification at page 1, line 29, to page 2, line 1; in Example 2, page 33-34; and in original claim 30.

No new matter has been added by these amendments.

Claim 28 stands rejected as lacking sufficient antecedent basis. Specifically, support for the definition of R_1 wherein " R_1 is C_1-C_4 alkoxy," is not found in the parent claim, Claim 26. The Applicants note that Claim 28, as originally filed, reads "A compound according to claim 27, wherein R_4 and R_5 are both C_3 alkyl," which does not involve the indefinite definition of R_1 identified by the Examiner. However, Claim 30 as originally

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filed reads "A compound according to Claim 28, wherein R₁ is C₁-C₄ alkoxy," and Claim 28 is dependent on Claim 27, which itself is dependent on Claim 26. Thus, Applicants assume that the Examiner meant to refer to Claim 30 rather than Claim 28. As noted above, the Applicants have amended Claim 26 to include "C₁-C₄ alkoxy" in the definition of R₁, as suggested by the Examiner.

Applicants respectfully request the examiner to reconsider and withdraw the rejection under 35 U.S.C. § 112, second paragraph.

Claims 26-28, and 32 stand objected to for containing elected and non-elected subject matter. The Applicants have removed the non-elected material from Claim 26; claims 26-28 now contain only elected subject matter. Claim 32 has been cancelled.

Applicants respectfully submit that all the claim rejections and objections have been overcome herein and that the claims are now in condition for allowance. Allowance of the claims and passage of the case to issue are therefore respectfully solicited.

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The Applicants invite the Examiner to contact the Applicants' undersigned representative at (312) 913-2136 if the Examiner believes that this would expedite prosecution of the application.

Respectfully submitted,

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